

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

2010 FEB 19 A 10:09

Brian K. Hall,

Plaintiff,

vs.

The County of Carolina Department of Corrections;
Ofc. A. Smith, # 038665;
Lt. K. Holloway, # 013470,

Defendants.

C.A. No. 2:09-2684-TLW-RSC

ORDER

The *pro se* plaintiff filed this action pursuant to Title 42, United States Code, Section 1983 in October of 2009. (Doc. # 1). This matter is now before the undersigned for review of the Report and Recommendation ("the Report") filed by United States Magistrate Judge Robert S. Carr, to whom this case had previously been assigned pursuant to 28 U.S.C. § 636(b) and Local Rule 73.02(B)(2) (D.S.C.). (Doc. # 46). In his Report, Magistrate Judge Carr recommends that the Complaint in the above-captioned case be dismissed without prejudice and without issuance and service of process. No objections to the Report have been filed.¹

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge's Report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636. No objections

¹The Report was filed on November 4, 2009. Objections were due by November 23, 2009. On December 29, plaintiff filed a motion for an extension of time to file objections to the Report. Said motion was granted. However, to date no objections have been filed.

have been filed to the Report. In the absence of objections to the Report and Recommendation of the Magistrate Judge, this Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

A review of the record indicates that the Report accurately summarizes this case and the applicable law. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report is **ACCEPTED** (Doc. # 8), and the Complaint in the above-captioned case is **DISMISSED** without prejudice and without issuance and service of process

IT IS SO ORDERED.

s/ Terry L. Wooten
TERRY L. WOOTEN
UNITED STATES DISTRICT JUDGE

February 18, 2010
Florence, South Carolina